

REMARKS / DISCUSSION OF ISSUES

Claims 1-3, 5-9, 11-13, 15-16, and 18-23 are pending in the application. Claims 4, 10, 14, and 17 are canceled herein, and claims 24-31 are newly added.

The applicant respectfully requests the Examiner to acknowledge the claim for priority and receipt of certified copies of all the priority document(s).

The applicant thanks the Examiner for providing information about recommended section headings. However, the applicant respectfully declines to add the headings. Section headings are not statutorily required for filing a non-provisional patent application under 35 USC 111(a), but are only guidelines that are suggested for applicant's use. (See Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75 ("Section 1.77 is permissive rather than mandatory. ... [T]he Office will not require any application to comply with the format set forth in 1.77").

The Office action objects to the drawings. The specification is amended herein to delete references to an element 113. The applicant notes that a quarter-wave plate between the reflector and light redirector is illustrated as element 205 in FIG. 2, and 304 in FIG. 3.

The Office action asserts that the top light source of FIG. 1 lacks a reference numeral/lead line to the reflective polarizer. The applicant respectfully disagrees with this assertion because FIG. 1 clearly illustrates a reference numeral 108 with lead line at each of the three light sources.

The Office action objects to the specification; the specification is correspondingly amended herein.

The Office action objects to the Abstract as provided by the International Bureau. The applicant notes that the Abstract had been provided to the International Bureau on a separate sheet, and objects to having to correct for an apparent administrative problem between the International Bureau and the USPTO. However, in the interest in advancing prosecution of this case, the Abstract is provided herein on a separate sheet, as requested in the Office action.

The Office action rejects claims 1-3, 6-9, 11, 15-16, 18-20, and 22-23 under 35 U.S.C. 102(b) over Knox (USP 6,390,626). The applicant respectfully traverses this rejection.

Knox does not teach an optical element having an interior that is substantially filled with solid material that redirects a portion of light reflected by a reflective polarizer through a light source and back to the reflective polarizer, wherein there is substantially no optical distance between the light source and the optical element, as specifically claimed in claim 1, upon which claims 1-3, 5-9, and 11-13 depend.

Knox specifically teaches that the space around the light source, between the reflective polarizer and the reflecting surface, is hollow:

"A shaped (for instance, parabolic) annular reflector housing 14 is positioned about and spaced from bulb 11 as shown in FIG. 1. The housing 14 is hollow, defined by a wall 15 and an open end portion 16. The wall 15 has a reflecting surface 17. Housing 14 can be made of, for example, ceramic material." (Knox, column 7, lines 3-8).

That is, Knox does not teach an optical element between the reflective polarizer and the light source, and specifically teaches that each optical element is optically distant from the light source.

Knox does not teach a reflective polarizer that is coupled to a light source via an optical element having an interior that is substantially filled with a solid material, wherein there is substantially no optical distance between the reflective polarizer and the optical element, as specifically claimed in claim 15, upon which claims 16 and 18 depend.

As noted above, Knox specifically teaches a hollow space between the light source, the reflective polarizer, and the reflective surface. Knox does not teach an optical element that is not optically distant from the reflective polarizer.

Knox does not teach a light emitting element disposed in an optical element having an interior that is substantially filled with a solid material that redirects light reflected from one end of the optical element back through the light emitting device and out from the one end, as specifically claimed in claim 19, upon which claims 20-23 depend.

As noted above, Knox's light emitting element is placed in a hollow space, and not disposed in a substantially solid optical element.

The Board of Patent Appeals has consistently held that the prior art must be identical to the claimed invention to support a rejection under 35 U.S.C. 102(b):

"A rejection under U.S.C. 102(b) is proper only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim." **MPEP 2131**. "There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." **BPAI Opinion No. 2005-2289, October 2005**.

Because Knox fails to teach the optical element as claimed in each of the independent claims 1, 15, and 19, the applicant respectfully maintains that the rejection of claims 1-3, 6-9, 11, 15-16, 18-20, and 22-23 under 35 U.S.C. 102(b) over Knox should be withdrawn.

The Office action rejects claims 12-13 and 17 under 35 U.S.C. 103(a) over Knox. The applicant respectfully traverses this rejection.

Claims 12-13 are dependent upon claim 1, and claim 17 is dependent upon claim 15. In this rejection, the Office action relies upon Knox for teaching the elements of claims 1 and 15. As noted above, Knox fails to teach the elements of claims 1 and 15; accordingly, the rejection of claims 12-13 and 17 under 35 U.S.C. 103(a) over Knox should be withdrawn.

The Office action rejects claim 5 under 35 U.S.C. 103(a) over Knox and Masuda et al. (USP 6,078,363, hereinafter Masuda). The applicant respectfully traverses this rejection.

Neither Knox nor Masuda teaches or suggests a quarter wave plate disposed between the reflective polarizer and the optical element of claim 1.

As noted above, Knox does not teach an optical element that is not optically distant from the light source, as specifically claimed in claim 1, and Masuda does not cure this deficiency.

Further, the Office action asserts that Masuda teaches a quarter wave plate disposed between a reflective polarizer and an element coupled to a light source. The applicant respectfully disagrees with this assertion. As specifically taught by Masuda, and as illustrated in Masuda's FIG. 1, the polarizer 4 reflects light back to the light source, and the quarter wave plate 5 is positioned beyond the polarizer 4 relative to the light source. The Office action asserts that Masuda's polarizer 8i, beyond the quarter-wave plate 5 is a reflective polarizer but provides no reference in Masuda to support this assertion. Throughout Masuda's disclosure, Masuda repeatedly teaches that the reflected light is from the polarizer 4 and quarter-wave plate 5, and does not teach that light is reflected from polarizer 8i. The applicant notes that Masuda's polarizer 4 and quarter-wave plate 5 are arranged to produce light having the polarization of polarizer 8i, and thus as taught by Masuda, there is no light of a different polarization that needs to be reflected from polarizer 8i and consequently no need to use a reflective polarizer as the polarizer 8i. Absent a specific teaching by Masuda that polarizer 8i is a reflective polarizer, and absent a need for polarizer 8i to be a reflective polarizer, the applicant respectfully maintains that there is no basis for the Office action's assertion that polarizer 8i is a reflective polarizer.

Because neither Knox nor Masuda teaches or suggests the optical element of claim 1, and because neither Knox nor Masuda teaches or suggests a quarter wave plate disposed between a reflective polarizer and the optical element of claim 1, the applicant respectfully maintains that the rejection of claim 5 under 35 U.S.C. 103(a) over Knox and Masuda should be withdrawn.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Robert M. McDermott/  
Robert M. McDermott, Esq.  
Reg. 41,508  
804-493-0707

**Please direct all correspondence to:**  
Corporate Counsel  
U.S. PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001